

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25129 of 2016**

Arising out of P.S. Case No. -24 Year- 2016 Thana -PURNEA
SADAR District- PURNIA

===== Mukesh Singh, Son of Late Rajendra Prasad Singh, Resident
of Village Uffrail, P.S. Bousi District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

===== **Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s: Mr. Nityanand (APP)

===== **CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**
ORAL ORDER

04. 11.08.2016

Heard learned counsel for the Petitioner and
learned counsel for the State.

The Petitioner is languishing in custody since
25.01.2016 in connection with Sadar P.S. Case No. 24 of
2016 pending in the Court of Additional Chief Judicial
Magistrate-I, Purnia for the offences registered under
Section 302/34 of the Indian Penal Code.

The prosecution case, in brief, as alleged in the
FIR is that the husband of the Informant along with the
petitioner had gone away from the house and her
husband met with an accident upon which the Police
informed her then she along with her family members
rushed to the hospital where her husband was declared
dead. It is further alleged that the petitioner along with
some other accused persons had killed her husband for
the sake of business transaction.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.01.2016. Charge-sheet has been submitted in the case. The petitioner has no criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been named in the FIR merely on the basis of suspicion. There is no circumstantial evidence which suggests the implication of the petitioner in the present case. From the perusal of the Post-mortem Examination Report, it also appears that the deceased had met with an accident.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the Petitioner, above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Purnia in connection with Sadar P.S. Case No. 24 of 2016.

(Sudhir Singh, J.)

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